REMARKS

Favorable reconsideration in view of the previous amendments and following remarks is respectfully requested.

Claims 1 -16 are pending. Claim 14 has been withdrawn. Claims 1-13 and 15 read on the elected embodiment. By this Amendment, claims 1, 9 and 15 are amended. Applicant notes that claim 14 has not been cancelled as indicated in the March 10, 2008 Office Action.

The March 10, 2008 Office Action rejects claims 1-6, 8-13 and 15 under 35 U.S.C. §102(e) over U.S. Patent Application Publication No. 2003/0005097 to Barnard et al.; and rejects claim 7 under 35 U.S.C. §103(a) over Barnard in view of U.S. Patent No. 6,195,514 to Machida. These rejections are respectfully traversed.

Independent claim 1 recites, in combination with other claimed features, when communications with a target printing device connected to a network fail, detecting a change in an IP address of the printing device and after the change in the IP address is detected, searching for a printing device over a network using information specific to the printing device.

Independent claim 13 recites, in combination with other claimed features, after a change in an IP address is detected, searching for a printing device over a network using information specific to the printing device.

The Office actions refers to paragraphs [0012] and [0014] of Barnard as disclosing these features. However detecting an address assignment as discussed in paragraph [0012] is not detecting a change in the IP address. Rather, as discussed in paragraph [0010], a new printing device is detected. Paragraph [0014] of Barnard, relied upon by the Examiner throughout the Office Action, is reproduced below.

> By virtue of the foregoing, print queues are created and configured upon detection of a printing device. In addition, changes in printing device addresses or print queue identification information are updated in the corresponding print queue configurations, and network workstations are notified of the changes. Accordingly, tedious and time consuming tasks involved in the management of network printing devices are reduced.

As clearly stated in paragraph [0014] of Barnard, "[b]y virtue of the foregoing . . . changes in printing device addresses . . . are updated in the corresponding print queue configurations." (emphasis added) The "foregoing" referred to by paragraph [0014] is detailed in paragraphs [0012] and [0013] of Barnard where, for example, an address assignment message sent between an address server and the printing device is detected, a printing device is detected by sending a request message to a plurality of network addresses or detecting a printing device by broadcasting a request message over a network and receiving a response message from the printing device connected on the network.

The changes in the printing device address that are updated in the corresponding print queue configurations is done subsequent to a search or discovery of the new IP address. Thus, Barnard does not disclose detecting a change in an IP address and after the change in the IP address is detected searching for the printing device over the network. Paragraphs [0012] through [0014] of Barnard clearly disclose detecting the new IP address first and then notifying the network workstations of the changes.

Bernard discloses in paragraph [0066], when a printer 18 is relocated on the network 10, it is assigned a new IP address by the DHCP server 75. The discovery module 74 is notified that printer 18 has been assigned a new IP address. The discovery module 84 is provided with the IP address. Thus, Barnard does not

disclose searching for a printing device over a network using information specific to the printing device. Withdrawal of the rejection of claims 1 and 13 is respectfully requested.

Independent claim 8 recites a printing device comprising a detector detecting a change in an IP address, a recorder recording a past IP address as specific information when the change in the IP address has been made and a responder retrieving the recorded past IP address upon an inquiry from an external device and making a response. The Office Action asserts that Barnard discloses the features of independent claim 8 at paragraphs [0012] and [0014] of Barnard. However, paragraph [0014], reproduced above, indicates that print queues are created and configured upon detection of a printing device. Changes in printing device addresses or print queue identification information are updated in the corresponding print queue configurations. Thus, paragraph [0014] of Barnard relates to print queues. It does not relate to a printing device including these features. As disclosed in Fig. 9 of Barnard, print queues 61 are part of the network management device 20. Printers 17 and 18 are separate devices from the print queue. As noted in the Examiner's Response to Arguments on page 9 of the Office Action, paragraph [0014] does refer to a "change in printing device addresses." However, "printing device addresses" are also not printers as recited in claim 8. Thus, claim 8 is distinguishable over Barnard.

As discussed in MPEP § 2111.02, any terminology in the preamble that limits the structure of the claimed invention must be treated as a claim limitation. In the Advisory Action, the Examiner cites *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951), which states that a preamble is generally not accorded any

patentable weight where it merely recites the purpose of a process or the intended use of a structure and where the body of the claim does not depend on the preamble for completeness but instead, the process steps or structural limitations are able to stand alone. Applicants note that in *Kropa,* the preamble of an "abrasive article" was deemed essential. Similarly, Applicants recitation of a "printing device" is essential and not merely an intended use of the structure.

Independent claim 9 recites, in combination with other claimed features, determining whether or not communications with a target printing device connected to a network and preset to be available for the communications, are available and when it is determined that the communications with the target printing device, are unavailable, transmitting a command for obtaining information specific to the printing device on a network to search for the printing device, and identifying an IP address of the printing device based on the information specific to the printing device included in a response to the command.

Independent claim 15 recites, in combination with other claimed features, determining whether or not communications with a printing device connected to a network and preset to be available for the communications, are available and when it is determined that the communications with the printing device are unavailable, transmitting a command for obtaining information specific to the printing device on a network to search for the printing device, and identifying an IP address of the printing device based on the information specific to the printing device included in a response to the command.

As discussed in paragraph [0071] of Barnard, if the name of a print queue is changed, all network devices, such as workstation 12, that use that particular print

queue, will no longer have a connection with printer 18. Each network device with a connection to printer 18 must learn a new name of the print queue associated with printer 18. The method for each network device learning the new print queue name of the print queue associated with the printer is disclosed in Figs. 13 and 14. Neither Fig. 13 nor Fig. 14 disclose when it is determined that communication with the printing device is unavilable , transmitting a command for obtaining information specific to the printing device on the network to search for the printing device as in claims 9 and 15. The Examiner asserts that paragraph [0035] discloses the feature of a computer transmitting a command but this paragraph relates to a user inputting commands.

As described at paragraph [0074] of Barnard, the procedure for updating a print queue connection may be made, for example, by a network management device simply notifying software installed on the identified client workstation of the new identification information. As discussed in paragraph [0007] of Applicant's specification, notification is not provided effectively if the PC is not connected onto a network, if the PC is powered off or if the PC is powered on but not in a state capable of receiving a notification change. In paragraph [0042] of Barnard, discovery module 84 is used to perform discovery on detected printing devices so as to obtain information regarding a printing device's network settings and functional capabilities. Discovery module 84 can receive notification of a detected printing device through a software hook from DHCP server 75, from classic discovery methods and/or from DHCP listening module 80. However, this concerns the situation where communication with the printing devices is available. In claims 9 and

15, the information specific to the printing device is obtained on the network but not from the printing device.

Machida does not overcome the deficiencies of Barnard noted above.

The dependent claims are allowable for at least the reasons discussed above as well as for the individual features they recite. For example, dependent claim 3 recites causing the computer to execute the step of judging whether the IP address of the printing device has been changed or the printing device is powered off. The Office Action asserts that such features are disclosed in paragraph [0014] of Barnard. However, there is no portion of paragraph [0014] of Barnard that relates to the printing device being powered off.

Early and favorable action with respect to this application is respectfully requested.

Should the Examiner have any questions regarding this Amendment or the application in general, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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